

PUBLIC HEARING--Nov. 17, 1965

Appeal #8436 Butternut Corp. appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on November 17, 1965:

ORDERED:

That the appeal for a variance from the use provisions, side yard, height, lot occupancy and FAR requirements of the R-1-B District to permit erection of apartment building at 905 Butternut St. N.W., lots 11 and 19, square 2967, be denied for the following reasons:

(1) As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board was unable to find and appellant was unable to prove that by reason of exceptional narrowness, shallowness or shape of the specific piece of property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or conditions of the specific piece of property, that the strict application of the regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property.

(2) This piece of property is nearly rectangular in shape and has no extraordinary narrowness, shallowness or shape and there are no extreme topographic conditions existing, the lot in question being practically level. There are no other extraordinary or exceptional conditions existing to warrant a variance from the use provisions of this single-family residential district.

(3) The Board further finds that this relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.

(4) There was opposition to the granting of this appeal registered at the public hearing.